

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN MARIANA ISLANDS

CR-07-00007-002
CR-07-00011-001

September 18, 2007
9:30 a.m.

UNITED STATES OF AMERICA -v- DINA TORRES GONZALES

PRESENT: HON. ALEX R. MUNSON, Chief Judge Presiding
SANAE SHMULL, Court Reporter
TINA MATSUNAGA, Courtroom Deputy
CRAIG MOORE, Assistant U. S. Attorney
DANILO AGUILAR, Counsel for Defendant
DINA TORRES GONZALES, Defendant

PROCEEDING: SENTENCING

Defendant was present with her counsel, Attorney Danilo T. Aguilar. Government by Craig Moore, AUSA. Also present was U.S. Probation Officer, Margarita Wonenberg.

No objection by the government of the presentence report. Counsel for defendant had no objections, but raised corrections to be made. Court so ordered corrections to presentence investigation report.

Court adopted the presentence investigation report and instructed the Clerk to file the report, under seal, and that the report be made available if the judgment is appealed. The probation officer's recommendation shall also be placed under seal. No objection by the parties.

Government moved for a sentence with downward departure, a sentence of six months per count, to run concurrent. Defense had no objection to Government's recommendation.

Defendant made her allocution.

Court recessed at 9:55 a.m. and resumed at 10:05 a.m.

Court granted the government's motion for downward departure.

SENTENCE: Pursuant to the Sentencing Reform Act of 1984, it is the judgment of the Court that the defendant **DINA TORRES GONZALES** is hereby sentenced to **6 months** imprisonment as to Count I in CR-07-00007-002 and **6 months** imprisonment as to Count I in CR-07-00011-001, to be served concurrently with credit for time served. Upon release from imprisonment, the defendant is ordered to serve a term of supervised release of three years which will include the following conditions:

1. The defendant shall not commit another federal, state or local offense;
2. The defendant shall not unlawfully use or possess a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, not to exceed eight tests per month, as directed by the U.S. probation officer;
3. The defendant shall be prohibited from possessing a firearm or other dangerous weapon;
4. The defendant shall submit to the collection of a DNA sample at the direction of the United States Probation Office;
5. The defendant shall comply with the standard conditions of supervision as adopted by this court;
6. The defendant shall participate in a program approved by the United States Probation Office for substance abuse, which program may include testing to determine whether the defendant has reverted to the use of drugs;
7. The defendant shall refrain from the use of any alcohol and submit to the breathalyser tests as directed by the U.S. Probation Office;
8. The defendant shall seek and maintain gainful employment;
9. The defendant shall perform 200 hours of community service, under the direction of the United States Probation Office.

Further, the defendant was ordered to pay a special assessment fee of \$200.00. Court waived all fines.

While the defendant is in prison, the Court recommends the defendant enroll in vocational and educational programs and obtain a high-school diploma while in prison.

No objection to the sentence by the attorneys. Defendant was advised that she had previously waived his right to appeal the sentence in this case but that if he or his attorney find any other reason in which to appeal that he had ten days in which to do so. Further, the defendant was advised of her right to an attorney for appeal and that the Court will appoint an attorney if he could not afford one.

Government moved to dismiss Count II of the indictment in CR-07-00007-002, Court so ordered.

Court remanded the defendant back into the custody of the U.S. Marshal.

Adj. 10:30 a.m.

/s/ Tina P. Matsunaga, Courtroom Deputy